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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,246	02/20/2001	Kenping Xie	09548.1011USWO	5262
52835 7590 12/12/2007 HAMRE, SCHUMANN, MUELLER & LARSON, P.C. P.O. BOX 2902 MINNEAPOLIS, MN 55402-0902			EXAMINER PHILLIPS, HASSAN A	
			ART UNIT 2151	PAPER NUMBER
			MAIL DATE 12/12/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/763,246

Applicant(s)

XIE ET AL.

Examiner

Hassan Phillips

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6 and 8-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6 and 8-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to communications filed September 24, 2007.

Response to Arguments

2. Applicant's arguments September 24, 2007 have been fully considered but they are not persuasive. Applicant argued:

- a) Kelly fails to disclose assigning to an online computer a unique full digital code address (FDCA), as claimed in claims 1 and 17;
- b) Nothing in Kelly discloses or teaches assigning a FDCA to each online computer as required by claims 1 and 17 so as to identify each online computer;
- c) Kelly fails to disclose or suggest creating the FDCA for each online computer, and allowing the computers in the network to identify each other via the network as recited in claim 18.

Examiner respectfully disagrees with applicant's assertions.

3. With regards to a) and b), applicant mentions in the remarks on pg. 2, "In a network using an FDCA address system, the relationship between an FDCA and an IP address is similar to the relationship between an IP address and a domain name in the Internet. That is to say, each FDCA in such a network is comparable to an IP address in the Internet." Similarly, Kelly teaches a network that uses a traditional

telephone number address system, wherein the relationship between the telephone number and an IP address is similar to the relationship between an IP address and a domain name in the Internet, (see Kelly, col. 3, lines 45-56). As acknowledged by applicant in the remarks on pg. 3, similar to applicant's claimed FDCA this telephone number is translated to an IP address assigned to an online computer, (see Kelly, col. 11, line 50-col. 12, line 14). For these reasons, and the rationale provided in the previous action, examiner maintains applicant's claimed FDCA fails to distinguish from the telephone number taught by Kelly. Thus, examiner also maintains Kelly discloses assigning to an online computer a unique full digital code address (FDCA), as claimed in claim 1, and Kelly discloses assigning a FDCA to each online computer as required by claim 1 so as to identify each online computer.

4. With regards to c), for reasons indicated above, examiner maintains Kelly also discloses creating the FDCA for each online computer, and allowing the computers in the network to identify each other via the network as recited in claim 18. Further, as indicated in the previous action, Kelly provides an alternate means for creating the FDCA for each computer, and allowing the computers in the network to identify each other via the network, where Kelly discloses each WebPhone client transmitting an on-line request packet containing a unique e-mail address and a fixed or dynamically assigned IP address for the WebPhone client, (see Kelly, col. 7, lines 39-46). Examiner submits, one of ordinary skill would have readily recognized that

the unique e-mail address could have been the hybrid telephone number (i.e. FDCA) taught by Kelly, (see Kelly, col. 11, line 50-col. 12, line 14).

5. Accordingly the references supplied by the examiner in the previous office action covers the claimed limitations. The rejections are thus sustained. Applicant is requested to review the prior art of record for further consideration.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 6, 8-16, are rejected under 35 U.S.C. 102(e) as being anticipated by Kelly, U.S. Patent 6,594,254.

8. In considering claim 1, Kelly teaches a method for assigning a unique full digital code address (FDCA) to an online computer, the method comprising assigning to said computer the FDCA which comprises: an online number (i.e. 1-561-997-4001), comprising a digital number (i.e. 997-4001) of an established network site

(i.e. telephone exchange on a PSTN), which is predetermined by a country or area, (col. 11, line 50-col. 12, line 14); a telephone number (i.e. 1-561-997-4001) comprising a country code (i.e. 1) designating the country where a user of the online computer is located, an area code (i.e. 561) designating the area where the user is located and a telephone number (i.e. 997-4001) of the user, (col. 11, line 50-col. 12, line 14); and a category number (i.e. 1-561-997-4001) comprising a digital number (i.e. 997-4001) predetermined by the country or the area for uniformly demarcating a business category (i.e. carrier.com, or provider2.com), (col. 11, line 50-col. 12, line 31).

9. In considering claim 6, Kelly discloses: not only assigning a fixed static address to each online computer, but also assigning a dynamic address to any temporary online computer, (col. 7, lines 39-46).

10. In considering claims 8 and 10, Kelly teaches accessing an E-mail box by dialing a telephone keyboard to input the FDCA into a modem of a computer (col. 7, lines 39-46, col. 11, lines 54-59), linking to the FDCA, and converting the FDCA by using dedicated software, (col. 13, lines 22-38).

11. In considering claims 9 and 11, Kelly teaches browsing the Internet by dialing up a keyboard of a dial-up telephone to input the FDCA into a modem of the computer, linking to the FDCA, and converting the FDCA by using dedicated software, (col. 7, lines 20-29, col. 11, lines 54-59).

12. In considering claim 12 Kelly teaches converting the FDCA into an IP address by using dedicated interpreting software, whereby the FDCA corresponds appropriately to one existing IP address, (col. 7, line 51-col. 8, line 8).

13. In considering claim 13, Kelly teaches converting the FDCA into a domain name by using dedicated interpreting software, whereby the FDCA corresponds appropriately to one existing domain name, (col. 12, lines 7-14).

14. In considering claim 14, Kelly teaches converting the FDCA into a Chinese hierarchy system domain name by using dedicated interpreting software, whereby the FDCA corresponds appropriately to one existing Chinese hierarchy system domain name, (col. 9, lines 35-67).

15. In considering claim 15, Kelly teaches assigning a subcategory number (i.e. boca561.997) following the category number, (col. 14, lines 4-33).

16. In considering claim 16, Kelly discloses assigning an encrypted digital number (i.e. user pin code) following the online number, (col. 16, lines 20-44).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly.

19. In considering claim 17, Kelly further teaches assigning an address to a mailbox, wherein the mail box address comprises a digital number and a domain name of a mail server where the mail box is located, (col. 7, lines 39-46, col. 11, line 50-col. 12, line 14).

Although the teachings of Kelly show substantial features of applicants claimed invention, they fail to expressly disclose: the mail box address comprising a user name.

Nevertheless, Kelly does disclose identifying a mail box by an alias, E-mail address, or key word, (col. 7, lines 51-56).

Thus, if not implicit in the teachings of Kelly, it would have been obvious to one of ordinary skill in the art at the time of the present invention to modify the teachings of Kelly to expressly show the mail box address comprising a user name. This would have advantageously facilitated identifying the mail box of a callee party when communications were desired with the callee party, (col. 7, lines 51-56).

20. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly in view of Osaku et al. (hereinafter Osaku), U.S. Patent 6,061,738.

21. In considering claim 18, Kelly teaches a method for assigning a unique full digital code address (FDCA) to each of a plurality of computers (i.e. 232) in a network, the method comprising: creating the FDCA for each of the computers (col. 7, lines 39-46), each FDCA comprising 1) an online number (i.e. 1-561-997-4001) (col. 11, line 50-col. 12, line 14), 2) a telephone number (i.e. 1-561-997-4001) (col. 11, line 50-col. 12, line 14), and 3) a category number (i.e. 1-561-997-4001) (col. 11, line 50-col. 12, line 31), the online number comprising a predetermined digital number (i.e. 997-4001) for an established network site (i.e. telephone exchange on a PSTN), (col. 11, line 50-col. 12, line 14), the telephone number comprising a country code (i.e. 1) and an area code (i.e. 561) designating respectively a country and area where the computer is located, and a telephone number (i.e. 997-4001) of a user of the computer, (col. 11, line 50-col. 12, line 14), the category number comprising a predetermined digital number (i.e. 997-4001) for uniformly demarcating a business category (i.e. carrier.com, or provider2.com), (col. 11, line 50-col. 12, line 31); and assigning one of the FDCAs to a respective one of the computers, wherein the FDCAs allow the computers in the network to identify each other via the network, (col. 7, line 39-col. 8, line 8).

Although the teachings of Kelly show substantial features of applicants claimed invention, they fail to expressly disclose: the online number, the telephone number and the category number being distinct from each other, (col. 7, lines 51-56).

Nevertheless, Kelly does disclose identifying one of the computers by an alias, E-mail address, or key word, (col. 7, lines 51-56). Further, in analogous teachings Osaku discloses assigning distinct numbers to a URL, the numbers assigned by a combination of automatic numbering and a preferred selection of numbers, (col. 18, lines 28-63).

Thus, if not implicit in the teachings of Kelly, given the teachings of Osaku it would have been obvious to one of ordinary skill in the art at the time of the present invention to modify the teachings of Kelly to expressly disclose the online number, the telephone number and the category number being distinct from each other. This would have been a mere design preference, and would have advantageously allowed assigning a unique FDCA that could be easily remembered, (Kelly, col. 7, lines 51-56, Osaku, col. 18, lines 38-63).

Conclusion

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is 571-272-3940. The examiner can normally be reached on Mon-Fri (8am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/HP/
12/4/07

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